



THE CITY OF NEW YORK
LAW DEPARTMENT
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USDC SDNY
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April 25, 2016

BY E.C.F.

Honorable Katherine P. Failla
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: Victor M. Herrera v. City of New York et al., 16-cv-00162 (KPF)

Your Honor:16

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and the attorney assigned to the defense of the above-referenced matter. The undersigned writes on behalf of defendant City of New York ("City") to respectfully request an extension of time to respond to the Court's Order pursuant to Valentin v. Dinkins, from April 26, 2016, until June 10, 2016. This is the undersigned's first request for an extension of time to respond to the Court's Order. Plaintiff *pro se* consents to this request.

By way of background, the Amended Complaint in this case makes numerous allegations against employees of the NYPD, the Department of Homeless Services ("DHS"), and the Human Resource Administration ("HRA"). The Amended Complaint alleges, *inter alia*, that on multiple dates, beginning in September 2014, plaintiff was deemed an EDP, forcibly held against his will, and injected with anti-psychotic drugs. By Order dated February 26, 2016, the Court requested that this Office, "who is the attorney for and agent of the DHS, HRA, and NYPD, shall ascertain the identities of the unidentified "John Doe" and "Jane Doe" Defendants whom Plaintiff seeks to sue here and the addresses where those Defendants may be served." (See Docket Entry No. 7 at 6.)

Despite our diligent efforts, this Office has not yet been able to identify the John and Jane Doe defendants at the DHS, HRA and NYPD. The request for an enlargement of time, therefore, is necessary to allow this Office enough time to ascertain the full names and service addresses of the John and Jane Does from each of these agencies whom plaintiff purports to name as defendants in the present matter.

Accordingly, this Office respectfully requests that the Court extend its time to respond to the Court's Order pursuant to Valentin v. Dinkins, from April 26, 2016, until June 10, 2016.

Thank you for your consideration herein.

Respectfully submitted,

/s/

Kaitlin Fitzgibbon
Assistant Corporation Counsel
Special Federal Litigation Division

cc: VIA ECF
Victor M. Herrera
3167 49th St
Apt 5D
Woodside, NY 11377

Defense Counsel's request for an extension of time is GRANTED. No further extensions of time will be granted absent extraordinary circumstances.

SO ORDERED.



Dated: April 25, 2016
New York, New York

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE

A copy of this Order was mailed by Chambers to:

Victor M Herrera
3167 49th Street
Apt 5D
Woodside, NY 11377